**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No :3374 of 2007**

**DATED:20-02-2007**

**BETWEEN:**
Erragolla Satyamma @ Karudanda Satyamma.

**..... PETITIONER**

**AND**

The Director General of Police,
Government of A.P.,
Hyderabad & 3 others.

**.....RESPONDENTS**

**ORDER:**

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 4th respondent in causing his interference in the civil dispute i.e., O.S.No.3633 of 2005 on the file of the Principal Junior Civil Judge, Rangareddy District, at L.B.Nagar, Hyderabad, and threatening to withdraw the said suit and to handover possession of the land covered under the suit to the defendants therein, as illegal, and arbitrary; and to direct the respondents 1 to 3 to conduct enquiry into the matter and take appropriate action against the 4th respondent.

3. It is the case of the petitioner that her husband-Karudanda Jangaiah @ Erragolla Pedda Jangaiah along with one Mudugonda Ramaiah purchased the land admeasuring Ac.6.01 gts situated in Sy.No.26 of Kokapet village, Rajendernagar mandal, Rangareddy District, by virtue of the agreement of sale, dated 15-03-1975, from his owner-Chikkala Jangaiah and others, but the owner has not executed any regular sale deed. It is stated that the husband of the petitioner is in possession of the said land from the date of the agreement of sale and in 1989 the said Ramaiah, along with whom the husband of the petitioner purchased the land, relinquished his share in favour of the late husband of the petitioner. It is stated that as the third parties attempted to dispossess them the petitioner and the other legal heirs

filed O.S.No.3633 of 2005 on the file of the Principal Junior Civil Judge, Rangareddy District for specific performance of agreement of sale and obtained injunction. It is further stated that the said Chikkala Jangaiah and others, having failed in their attempts to dispossess them, approached the 4th respondent/Inspector of Police and bribed him with an amount of Rs.5,00,000/-to favour them in dispossessing the petitioner, and in that connection the 4th respondent beat the petitioner black and blue and detained her in the custody, even without considering her oldage. It is stated that the 4th respondent has been sending police constables to her residence extending severe threats. As such, a complaint has been lodged by the petitioner before the 3rd respondent on 10-02-2006 but no action has been taken so far.

4. Counter has been filed by the 4th respondent denying all the allegations made against him, stating that on receipt of the said complaint the Magistrate forwarded the same to him for enquiry and report under Section 156(3) Cr.P.C. based on which a case in Cr.No.138 of 2005 was registered on 06-07-2005 and investigation was taken up by the Sub-Inspector of police. It is stated that all the other allegations with regard to the payment of bribe by one Ch.Jangaiah etc., are denied.

5. This Court directed to conduct an enquiry on the said allegations made against the 4th respondent either by the 3rd respondent or any other equal designatory and accordingly the 3rd respondent conducted enquiry and submitted his report stating that one month prior to filing of the suit by the petitioner and her family members for specific performance of agreement of sale, and after obtaining the injunction order, the said Ch.Jangaiah and others sold Ac.2.00 out of

Ac.6.00 of land in favour of one Sathyanarayanaraju by way of registered sale deed and the said Sathyanarayanaraju constructed a compound wall around the said Ac.2.00 of land even though the petitioner and his family members were in possession of the said land. Thereafter, the said Sathyanarayanaraju lodged a complaint in Narsingi police station against the family members of the petitioner and pursuant to the said complaint only the Inspector of police called for the petitioner and her family members, but he neither abused nor threatened them to withdraw the suit filed by them.

6. It is stated in the enquiry report that none of the villagers stated anything about the detention, assault, and intimidation said to have been made by the Inspector of police on the petitioner or her family members, and none of the villagers stated about the incident that has occurred on 10-02-2006. It is further stated in the enquiry report that on a complaint lodged by the said Sathyanarayanaraju about trespassing of the petitioner and her family members into his purchased land of Ac.2.00 in Sy.No.26 of Kokapet village, only the Inspector of police summoned the petitioner and his family members, and asked them not to fight, but he never abused or detained them. It is stated that there is no evidence forthcoming with regard to the bribe said to have been given by the said Ch.Jangaiah or the said Sathyanarayanaraju to the Inspector of Police.

7. In view of the said enquiry report I do not see any merits in the Writ Petition. Accordingly, the Writ Petition is dismissed. However, it is open for the petitioner to take appropriate legal steps before the Criminal Court in accordance with law. No order as to costs.

---

**V.ESWARAIAH,J**

20th February, 2007.

Tsy